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11 *Representing the United States*

12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 UNITED STATES OF AMERICA,
15 Plaintiff,
16 v.
17 ROBERTO ALVAREZ-ARIAS,
18 Defendant.

Case No. 2:19-CR-00218-JCM-DJA
**Stipulation To Continue Sentencing
Hearing**
(First Request)

19 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.
20 Trutanich, United States Attorney, and Kimberly M. Frayn, Assistant United States
21 Attorney, counsel for the United States of America, and Rene L. Valladares, Federal
22 Public Defendant and Brandon Jaroch, Assistant Federal Public Defender, counsel for
23 ROBERTO ALVAREZ-ARIAS, ("Alvarez"), that the sentencing hearing in the
24 abovementioned case, which is currently scheduled for April 17, 2020 at 11:00 a.m., be
25 continued and reset to June 5, 2020 at 11:00 a.m. for the following reasons:

- 26 1. The parties need additional time to prepare for the sentencing hearing.

1 2. In light of the COVID-19 pandemic, the Centers for Disease Control and
2 Prevention's recommendations¹, and the District Court's Temporary General Orders,² the
3 parties seek to schedule a sentencing hearing on June 5, 2020 at 11:00 a.m. to allow time for
4 planning a hearing that complies with the CDC's recommendations and the District Court's
5 Temporary General Orders.

6 3. The defendant is incarcerated and does not object to the continuance.

7 4. The parties agree to the continuance.

8 5. The additional time requested herein is not sought for purposes of delay,
9 but merely to allow the parties sufficient time within which adequately prepare for the
10 sentencing hearing. Additionally, denial of this request for continuance could result in a
11 miscarriage of justice, and the ends of justice served by granting this request, outweigh
12 the best interest of the public and the defendant in a speedy hearing.

13 6. This is the first stipulation to continue the hearing.

14 DATED this 3rd day of March, 2020.

15
16 RENE L. VALLADARES
Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

17
18 */s/ Brandon Jaroch*
By _____
19 BRANDON JAROCH
Assistant Federal Public Defender

20 */s/ Kimberly M. Frayn*
By _____
KIMBERLY M. FRAYN
Assistant United States Attorney

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25 ¹[https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-
response.html](https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html)

26 ² See Temporary General Orders 2020-03 and 2020-05.

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 UNITED STATES OF AMERICA,
5 Plaintiff,
6 v.
7 ROBERTO ALVAREZ-ARIAS,
8 Defendant.

Case No. 2:19-CR-00218-JCM-DJA

**Findings Of Fact, Conclusions Of Law
And Order**

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10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore,
12 the Court finds that:

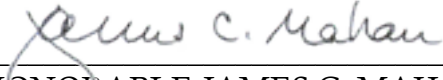
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- 14 1. The parties need additional time to prepare for the sentencing hearing.
 - 15 2. In light of the COVID-19 pandemic, the Centers for Disease Control and
16 Prevention's recommendations, and the District Court's Temporary General Orders, the parties
17 seek to schedule a sentencing hearing on June 5, 2020 at 11:00 a.m. to allow time for planning
18 a hearing that complies with the CDC's recommendations and the District Court's Temporary
19 General Orders.
 - 20 3. The defendant is incarcerated and does not object to the continuance.
 - 21 4. The parties agree to the continuance.
 - 22 5. The additional time requested herein is not sought for purposes of delay,
23 but merely to allow the parties sufficient time within which adequately prepare for the
24 sentencing hearing. Additionally, denial of this request for continuance could result in a
25 miscarriage of justice, and the ends of justice served by granting this request, outweigh
26 the best interest of the public and the defendant in a speedy hearing.

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2 6. This is the first stipulation to continue the hearing.

3 **ORDER**

4 THEREFORE, IT IS HEREBY ORDERED that the preliminary hearing in the
5 above-captioned matters, currently scheduled for April 17, 2020, be vacated and
6 continued to June 5, 2020, at the hour of 11:00 a.m.

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8 DATED April 8, 2020.

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12 HONORABLE JAMES C. MAHAN
13 United States District Court Judge
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